

CFTC Consumer Advisory
September 22, 2005

**DIVISION OF CLEARING AND INTERMEDIARY OVERSIGHT ISSUES
ADVISORY CONCERNING REGISTRANTS THAT ARE UNABLE TO
COMPLY WITH REGULATORY REQUIREMENTS DUE TO THE DAMAGE
CAUSED BY HURRICANE KATRINA AND RELATED EVENTS**

Because of the disruptions to mass communications caused by Hurricane Katrina, the Division of Clearing and Intermediary Oversight (Division) has received requests for relief on behalf of registrants that are unable to deliver account statements or other documents to customers as required by Commission regulations 1.33, 1.46 and 4.22 due to suspension of mail service to certain ZIP Codes identified by the U.S. Postal Service. In response to these requests, the Division is issuing this Advisory.

The Division will not recommend that the Commission take enforcement action against any registrant based on a failure to provide account statements to customers in the time specified as required by Commission rules 1.33, 1.46 and 4.22 where such failure is due to the suspension of mail service to the customer's ZIP Code.

Registrants with obligations to send statements to customers whose only contact information is an address in a ZIP Code where mail service has been suspended should hold the statements pending the ability to send them. If the registrant has an alternate mailing address for such customers outside such ZIP Codes, or if the customer provides alternate contact information, the registrant should use the alternate address. Registrants should monitor the Postal Service website daily (<http://www.usps.com/communications/news/serviceupdates.htm>), and must send held statements when they have an address for the customer to which mail may be sent or when mail service resumes.

There may be registrants whose individual circumstances warrant relief beyond that provided by this Advisory and the Division encourages such registrants to contact Commission staff to advise them of the particulars of their situation and the relief they are requesting.

For further information, please contact:
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